REMARKS

Applicants appreciate the thorough examination of the application that is reflected in the Office Action dated March 11, 2005. Applicants amend claims 4, 13, 18, 20 and 21. After entry of the foregoing amendments, claims 4-23 (20 total claims; 3 independent claims) remain pending in the application.

Applicants respectfully request reexamination and reconsideration of the application.

Oath/Declaration

Applicants note the objection and will submit a new oath or declaration, which complies with 37 CFR 1.67(a) and MPEP §§ 602.01 and 602.02, once the inventors can be contacted to complete the new oath or declaration.

Objections to Drawings

Applicants amend the Drawings as requested and submit corrected replacement drawing sheets for Figures 1-41 with each sheet labeled "Replacement Sheet". These corrected replacement drawings include the amendments for Figures 1, 2, 15, 26, 29, 33, 34, 38 and 40 requested by the Examiner. Applicants submit that the Figures comply with 37 C.F.R. 1.121(d). Accordingly, Applicants submit that this objection is moot.

Objections to Claims

Applicants amend claims 18 and 21 as requested by the Examiner. Applicants have also included appropriate claim status notations or identifiers with each claim per MPEP 1.121(c). Accordingly, Applicants submit that this objection is moot.

Art-Based Rejections

The Office rejects claims 4-10, 13-14 and 16-19 under 35 U.S.C. 103(a) as being unpatentable over Charrin (USPN 6,577,733 B1) in view of Hanson et al. (6,546,425 B1), rejects claims 11, 12 and 15 under 35 U.S.C. 103(a) as being unpatentable over Charrin (USPN 6,577,733 B1) in view of Hanson et al. (6,546,425 B1) further in view of Dale et al. (USPN 6,049,644), and claims 20-23 under 35 U.S.C. 103(a) as being unpatentable over Creamer et al. (USPGP 2003/0126584) in view of Charrin (USPN 6,577,733 B1).

Applicants respectfully traverse these rejections for at least the following reasons.

Amended claim 4 relates to a method for executing a **multi-channel application capable of operating over a plurality of channels** in **a multi-channel system** having a plurality of subscribers. (Emphasis added.) This method comprises:

> identifying each subscriber with a unique identifier which is independent of a subscriber device running said multi-channel application;
> presenting each subscriber with a personalized interface;
> journaling transactions and memory objects during interaction with a subscriber such that upon the subscriber being disconnected during a session the subscriber is uniquely identified upon reconnection to the multi-channel application; and
> presenting to the subscriber an option to continue execution of the multi-channel application from a previous point of execution prior to the subscriber being disconnected. (Emphasis added.)

In rejecting claim 4, the Office concedes that the Charrin reference fails to disclose the concept of a "mutli-channel system."

The Office Action cites col. 1:18, col. 2:57-60 and col. 4:63 of the Hanson reference as allegedly teaching this feature of claim 4. Col. 1:18 of the Hanson reference discusses methods and systems that "transparently address the characteristics of nomadic systems, and enable existing network applications to run reliably in the associated mobile environments." (Col. 37:38-60 of the Hanson reference.) Col. 2:57-60 of the Hanson reference discusses a Mobility Management Server (MMS) coupled to the mobile interconnect that "maintains the state of each of any number of Mobile End Systems (MES) and handles the complex session management required to maintain persistent connections to the network and peer application processes." (Col. 2:57-60 of the Hanson reference; emphasis added.) Col. 4:53-63 of the Hanson reference discusses an Internet Mobility Protocol which "coalesces data from different sources targeted for the same or different destinations, together into a single stream and forwards it over a mobile link. At the other end of the mobile link, the data is demultipelexed back into multiple distinct streams, which are sent on to the ultimate destination(s). The multiplexing/demultiplexing technique ... allows multiple channels to be established." (Col. 4:53-63 of the Hanson reference; emphasis added.)

Significantly, Hanson describes use' of existing network applications over a single mobile link.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify a reference or to combine the teachings of multiple references. Second, there must be a reasonable expectation of success. Third, the prior art must teach or suggest all of the recited claim limitations. Of course, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. Applicants respectfully submit that the Examiner has not met all of the above criteria.

Although col. 1:18 of the Hanson reference alludes to methods and systems that "enable existing network applications to run reliably in the associated mobile environments," and col. 4:63 of the Hanson reference discusses a multiplexing/demultiplexing technique that "allows multiple channels to be established," Applicants submits that the Hanson reference fails to disclose "executing a multi-channel application capable of operating over a plurality of channels in a multi-channel system," as required by claim 4. Page 3, lines 3-6 of the present application define an example of a multi-channel application as "an application that can be accessed via two or more channels, including but not limited to wireline access by web browser, wireless access by internet-enabled phone, wireless access by PDA (Personal Digital Assistant), and voice access by telephone." Page 2, lines 17:20 define a channel as "the medium, or the 'pipe' over which the interaction takes place. The main channels of access are: 'wire-line' access over the Internet; "wireless" data access over cellular and other over-the-air networks; and voice access over analog PSTN networks." (Emphasis added.)

Firstly, the Hanson reference does not use the term "channel" as it is used in the present application which defines a channel as the medium over which interaction takes place. Rather, Hanson uses the term channels to describe data from different sources targeted for the same or different destinations, together into a single stream and forwards it over a mobile link.

Moreover, as noted at col. 11, lines 2-5 of the Hanson reference, "Mobility End System 104 and Mobility Management Server 102 run standard operating system and application software." These applications are not "multi-channel" since there is no indication that they can be accessed by two or more channels; they are simply standard application software.

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Thus, Applicants submit that the Hanson reference fails to teach, for example, "executing a multi-channel application capable of operating over a plurality of channels in a multi-channel system," as required by claim 4.

Applicants further submit that the Office has failed to show a motivation to combine the cited references. Instead, Applicants submit that the Office has simply used Applicants' claims as a set of blue-prints for selecting certain terms from the cited references which appear in those claims. This hindsight attempt to reconstruct Applicants' claims does not provide a motivation to combine those references.

Accordingly, for at least the foregoing reasons, Applicants submit that claim 4, and its dependent claims 5-12, are patentable over the cited references. In addition, Applicants submits that many of the dependent claims 5-12 are separately patentable since the cited references fail to teach recitations present in those claims. For instance, claim 11 defines the step of presenting content to the subscribers from claim 10 which depends from claim 4. This step comprises "translating application templates to specific markup languages associated with the device types," and "communicating the translated application templates to the subscriber devices." Applicants submit that none of the cited references, including the Dale reference, suggest these steps of claim 11.

In addition, for at least the foregoing reasons, Applicants submit that independent claims 13 and 20, and their respective dependent claims 14-19 and 21-23, are also patentable over the cited references. In addition, Applicants submits that many of the dependent claims 14-19 and 21-23 are also separately patentable since the cited references fail to teach recitations present in those claims.

In conclusion, for the reasons given above, all claims now presently in the application are believed allowable and such allowance is respectfully requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the undersigned attorney at (480) 385-5060.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

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Dated: 07/07, 2005

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